

in negotiating many of its provisions, including: a more reasonable radon standard that will save New England water suppliers and their ratepayers millions of dollars without compromising public health; and the authorization of five small system water technology centers at academic institutions around the country to assist in developing and testing affordable treatment technologies for small systems. One of these centers I hope will be established at the University of New Hampshire, which has extensive knowledge and experience in water technology.

So today, Mr. President, I am pleased that the Senate is giving approval of these much needed reforms to the Safe Drinking Water Act. This bill received the unanimous support of the Environment and Public Works Committee, of which I am a member, as well as the coalition representing State and municipal government and public water supply community. I now urge the House to act expeditiously on its reauthorization bill so that our communities can soon receive the regulatory relief and financial assistance they need.

## AMENDMENT NO. 3076

(Purpose: To strike the provisions with respect to comparative risk assessment)

Mr. CHAFEE. Mr. President, I just referred to the fact that we would be dropping section 28 from the bill in accordance with an agreement with Senator MOYNIHAN and others.

I now send to the desk an amendment to accomplish that, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for himself, Mr. KEMPTHORNE, Mr. BAUCUS, and Mr. REID, proposes an amendment numbered 3076.

Beginning on page 179, line 16, strike section 28 of the bill and renumber subsequent sections accordingly.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3076) was agreed to.

Mr. CHAFEE. I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay it on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNANIMOUS-CONSENT AGREEMENT

Mr. CHAFEE. Mr. President, I ask unanimous consent that there be 40 minutes equally divided on the Boxer

amendment, community right to know, and following the conclusion or yielding back of time, the Senate proceed to vote on or in relation to the Boxer amendment without any intervening action or amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Tom Irvin, a legislative fellow in my subcommittee, be permitted privileges of the floor during my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE 20TH ANNIVERSARY OF IDEA

Mr. FRIST. Mr. President, I rise to acknowledge the 20th anniversary of the Individuals With Disabilities Education Act [IDEA].

It is important to pause today and recognize the impact that this law has had on the lives of millions of children with disabilities and their families during the last two decades. Through this law we deliver on a timeless simple promise—every child with a disability shall have a free appropriate public education—no more, no less.

The Senate Subcommittee on Disability Policy, which I chair, is involved in the reauthorization of IDEA. As the new chairman of the subcommittee, I wanted to get the facts before we began the reauthorization process. The subcommittee held four hearings on the law in May and July of this year. The first hearing on May 9, which I cochaired with my friend from California, Mr. CUNNINGHAM of the other body, was a joint congressional hearing on the 20th anniversary of IDEA.

During the course of that hearing we heard from Members who were original cosponsors of the legislation in 1975, judges and attorneys involved with the landmark court cases that served as catalysts for IDEA, and former congressional staff and advocates for children with disabilities, who facilitated its historic passage.

That hearing sent a valuable message to students with disabilities, their families, and educators. Members of Congress have a longstanding interest in assuring a free appropriate public education and early intervention services for infants, toddlers, children, and youth with disabilities. Designing and sustaining the Federal role in assisting States with these responsibilities is founded on bipartisan cooperation.

There are many challenges that face America's young people: What to choose for a life's work, how to evaluate advice, how to judge one's own progress, and how to define personal satisfaction and happiness. Their approach to these questions will be colored by the behavior of adults around them. Do we celebrate individual abilities and differences? Do we encourage

cooperation and collaboration in school? Do we respect and recognize the opinions of young people? Do we promote goal setting based on interests and abilities?

How we answer these questions with regard to young people with disabilities is a barometer. If young people with disabilities are exposed to the experiences of their peers, if we help them become a valued member of their peer group, if we take into account their choices, and if we help them become the best they can be, they and their nondisabled friends learn a valuable lesson. They learn that adults care, that we are fair, and that we can be trusted.

My good friend from Iowa and I released the first draft of the authorization bill for IDEA on November 20. As we developed the draft, we were always conscious of these young people and their future.

We have spent many months reading and talking to people about how to best serve children with disabilities through IDEA. Five major principles influenced our drafting efforts.

First, children with disabilities and their families should be the central focus of our drafting efforts.

Second, if a provision in IDEA works, don't undo it.

Third, add incentives that encourage schools to serve children, based on needs, not because of disability labels.

Fourth, add incentives that encourage and prepare schools to include children with disabilities in schoolwide innovation, reform efforts, and assessments of student progress.

Fifth, clearly link discretionary programs to the State grant programs, so that discretionary grants help educators educate children with disabilities and help families contribute in meaningful ways to the educational process of their children.

We have done what we set out to do. We have crafted a bill that will take us into the next century, a bill that celebrates the legacy established 20 years ago today, a bill that gives parents and educators the tools they need to help young people with disabilities succeed, and a bill that delivers on that timeless simple promise—a free appropriate public education for each child with a disability.

Such an education is an investment in people whose hopes, opportunities, and achievements are dependent on us. As we proceed with the reauthorization process, I urge my colleagues to join me in celebrating a law that works, a law that endures, a law that is most necessary. Although the difference it has made may be measured in dollars and judged in terms of children served, its impact is more pervasive, more powerful. Services it funds have led to words read, concepts understood, steps taken, and words spoken—often for the first time. As such experiences are repeated, young people with disabilities develop pride and increased confidence

in their achievements. IDEA is definitely a law worth recognizing, celebrating, and preserving.

20TH ANNIVERSARY OF PUBLIC LAW 94-142, THE EDUCATION FOR ALL HANDICAPPED CHILDREN ACT OF 1975.

Mr. HARKIN. Mr. President, today marks the 20th anniversary of the signing of Public Law 94-142, the Education for All Handicapped Children Act, now known as Part B of the Individuals with Disabilities Education Act [IDEA].

On that fall day two decades ago, we literally changed the world for millions of children with disabilities. At that time, over 1 million children with disabilities in the United States were excluded entirely from the public school system, and more than half of all children with disabilities were not receiving appropriate educational services.

On that day, we exclaimed that the days of exclusion, segregation, and denial of education of disabled children are over in this country.

On that day we sent a simple, yet powerful message heard around the world: disability is a natural part of a child's experience that in no way diminishes the fundamental right of a disabled child to receive a free and appropriate public education.

On that day, we also sent a powerful message that families count and they must be treated as equal partners in the education of their children.

On that day we lit a beacon of hope for millions of children with disabilities and their families.

Since the enactment of Public Law 94-142, considerable progress has been made in fulfilling the message that was conveyed by the Congress in 1975.

Today, 20 years later, every State now ensures a free appropriate public education to all children with disabilities between the ages of 3 and 18, and most States extend that provision through age 21. Over 5 million children with disabilities are now receiving special education and related services. And all States now provide early intervention services to infants and toddlers with disabilities from birth through age two and their families.

Today, the beacon of hope is burning bright. As one parent from Iowa recently told me:

Thank God for IDEA. IDEA gives us the strength to face the challenges of bringing up a child with a disability. It has kept our family together. Because of IDEA our child is achieving academic success. He is also treated by his nondisabled peers as "one of the guys." I am now confident that he will graduate high school prepared to hold down a job and lead an independent life.

In May, Danette Crawford, a senior at Urbandale High School in Des Moines testified before the Disability Policy Subcommittee. Danette, who has cerebral palsy, testified that:

My grade point average stands at 3.8 and I am enrolled in advanced placement courses.

The education I am receiving is preparing me for a real future. Without IDEA, I am convinced I would not be receiving the quality education that Urbandale High School provides me.

Mr. President, these are not isolated statements from a few parents in Iowa. They are reflective of the general feeling about the law across the country. The National Council on Disability [NCD] recently conducted 10 regional meetings throughout the Nation regarding progress made in implementing the IDEA over the past 20 years. In its report, NCD stated that "in all of the 10 regional hearings \* \* \* there were ringing affirmations in support of IDEA and the positive difference it has made in the lives of children and youth with disabilities and their families." The report adds that "all across the country witnesses told of the tremendous power of IDEA to help children with disabilities fulfill their dreams to learn, to grow, and to mature."

Anniversaries are a time to celebrate; but they are also a time to reflect. So, as we look back on the enactment of IDEA, we must also step back and ask some basic questions: Has the IDEA resulted in full equality of educational opportunity for all children with disabilities? Should we be satisfied with the educational outcomes we are achieving; can we do better?

From the four hearings held by the Subcommittee on Disability Policy, it is clear to me that major changes in IDEA are not needed nor wanted. IDEA is as critical today as it was 20 years ago, particularly the due process protections. These provisions level the playing field so that parents can sit down as equal partners in designing an education for their children.

The witnesses at these hearings did make clear, however, that we need to fine-tune the law, in order to make sure that children with disabilities are not left out of educational reform efforts that are now underway, and to take what we have learned over the past 20 years and use it to update and improve this critical law.

Based on 20 years of experience and research in the education of children with disabilities, we have reinforced our thinking and knowledge about what is needed to make this law work, and we have learned many new things that are important if we are to ensure an equal educational opportunity for all children with disabilities:

For example, our experience and knowledge over the past 20 years have reaffirmed that the provision of quality education and services to children with disabilities must be based on an individualized assessment of each child's unique needs and abilities; and that, to the maximum extent appropriate, children with disabilities must be educated with children who are not disabled and children should be removed from the regular educational environment only when the nature and severity of the disability is such that education in regular classes with the use of supple-

mentary aids and services cannot be achieved satisfactorily.

We have also learned that students with disabilities achieve at significantly higher levels when schools have high expectations—and establish high goals—for these students, ensure their access to the general curriculum—whenever appropriate—and provide them with the necessary services and supports. And there is general agreement that including children with disabilities in general State and district-wide assessments is an effective accountability mechanism and a critical strategy for improving educational results for these children.

Our experience over the past 20 years has underscored the fact that parent participation is a crucial component in the education of children with disabilities, and parents should have meaningful opportunities, through appropriate training and other supports, to participate as partners with teachers and other school staff in assisting their children to achieve to high standards. And we also know how critical it is for school administrators to have the tools they need to ensure school environments that are safe and conducive to learning.

There is general agreement today at all levels of government that State and local educational agencies must be responsive to the increasing racial, ethnic, and linguistic diversity that prevails in the Nation's public schools today. Steps must be taken to ensure that the procedures used for referring and evaluating children with disabilities include appropriate safeguards to prevent the over- or under-identification of minority students requiring special education. Services, supports, and other assistance must be provided in a culturally competent manner. And greater efforts must be made to improve post-school results among minority students with disabilities.

The basic purposes of Public Law 94-142 must be retained under the proposed reauthorization of IDEA: To assist States and local communities meet their obligation to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet the unique needs of these children and enable them to lead productive independent adult lives; to ensure that the rights of children with disabilities and their parents are protected; and to assess and ensure the effectiveness of efforts to educate children with disabilities.

We also need to expand those purposes to promote the improvement of educational services and results for children with disabilities and early intervention services for infants and toddlers with disabilities—by assisting or supporting systems change initiatives by State educational agencies in partnership with other interested parties, coordinated research and personnel preparation, and coordinated technical assistance, dissemination, and